



DEPARTMENT OF ENVIRONMENTAL QUALITY  
POLICY AND PROCEDURES

**SUBJECT: Emergency Response Policy**

**Number: 09-001**

**Date: February 18, 1997**

**Page 1 of 7**

**ISSUE:** Department policy must provide clear guidance for Department employees who may be called upon to provide emergency response services during an uncontrolled release of an environmental contaminant. Issues to be taken into consideration and addressed in the development of a Department emergency response policy include the mission of the Department and the capabilities and safety of Department employees as they relate to emergency response operations; the provisions of the Michigan Emergency Management Plan (MEMP); the expectations of the public, the regulated community and Department employees regarding the role of the Department in emergency response; and the provisions of the Federal and State Hazardous Waste Operations and Emergency Response (HAZWOPER) regulations.

First, the Department must carefully consider its mission and capabilities as a regulatory agency, and determine how and when emergency response operations fit into this mission, and what services the Department is capable of providing in an emergency response operation. The safety of Department employees, who rarely perform emergency response operations, is a primary consideration.

Second, the MEMP has established some responsibilities of State government agencies, including the Department of Environmental Quality, in performing the emergency management activities of mitigation, preparedness, response and recovery within the state. The MEMP states that Department responsibilities during an emergency response include minimizing environmental contamination, providing monitoring, sampling and analysis and minimizing damage to natural resources.

## DEQ POLICY AND PROCEDURES

SUBJECT: EMERGENCY RESPONSE

Number: 09-001

DATE: February 18, 1997

Page 2 of 7

Third, members of the public, the regulated community, community emergency response personnel and Department employees themselves may have varying and conflicting expectations regarding the level of response the Department will provide during an emergency response. They range from expectations that the Department employees will attempt to stop or control a release of an environmental contaminant, to expectations that Department employees will serve only as consultants during an emergency response.

Finally, State and Federal HAZWOPER regulations prescribe in detail the training and medical monitoring required for persons who engage in emergency response. These requirements can be expensive and time-consuming, especially for employees who do not need this type of training and monitoring for any job duties other than emergency response.

### **DEFINITIONS:**

**Emergency Response:** A response effort by employees or by other designated responders, to an uncontrolled release of a known or suspected environmental contaminant which poses, or may pose, a hazard to public safety or the environment.

**Environmental Contaminant:** A substance which is or would usually be regulated or controlled as to the amount which could be released into the environment.

**First Responder, Operations Level:** An individual who responds to releases or potential releases of environmental contaminants as part of the initial response to the site for the purpose of protecting nearby persons, property, or the environment from the effects of the release.

**Hazardous Materials Specialist:** An individual who responds with and provides support to hazardous materials technicians. The specialist duties parallel those of the hazardous material technician; however, specialist duties may require a more directed or specific knowledge of the various substances she or he may be called upon to contain.

**Hazardous Materials Technician:** An individual who responds to releases or potential releases for the purpose of stopping the release. The technician assumes a more aggressive role than a first responder, operations level, in that she or he will approach the point of release in order to plug, patch, or otherwise stop the release of an environmental contaminant.

**Level D Personal Protective Equipment:** Level D personal protective equipment consists of a work uniform affording minimal protection, used for nuisance contamination only. The following items constitute Level D equipment; these items may be used as appropriate:

1. Coveralls.
2. Gloves.
3. Boots/shoes, chemical-resistant steel toe and shank.
4. Boots, outer, chemical-resistant (disposable).
5. Safety glasses or chemical splash goggles.
6. Hard hat
7. Escape mask.
8. Face shield

**POLICY:** The Department supports the appropriate participation of its employees in emergency response activities for the purpose of protecting public health or the environment under the following general principles:

- a.** No Department employee is authorized to perform on-scene emergency response actions except as identified in #2 below.
- b.** Department employee action during an emergency response is limited to serving as a technical consultant except as identified in #2 below.
- c.** Department employees engaging in any emergency response activity must coordinate their activity under the direction of the on-scene incident commander, usually the local fire chief.
- d.** A Department employee should be on-site only if she/he is convinced there's an emergency and a need for their presence, and only if a first responder or an appropriate contractor has been contacted and is present.

DEQ POLICY AND PROCEDURES

SUBJECT: EMERGENCY RESPONSE

Number: 09-001

DATE: February 18, 1997

Page 4 of 7

In recognition of the above, further detailed Department policy on this issue is as follows:

**1. Authorization to Participate in an Emergency Response:** A non-supervisory employee may only participate at the scene of an emergency response activity with the approval of the employee's immediate supervisor or another supervisor in the employee's chain of command. If an employee is unable to contact any supervisor in the employee's chain of command, the employee may participate at the scene if the employee has been trained as described in policy criteria 5 and is an employee named in the list generated according to policy criteria 4.C.

**2. Performing First Responder, Operations Level or Hazardous Material Technician or Specialist Actions; Response Limitations and Authorized Actions:** No Department employee is authorized or shall be allowed to perform first responder, operations level, or hazardous material technician or specialist actions during an emergency response except for properly trained and equipped employees of the Radiological Protection Section of the Drinking Water and Radiological Protection Division who may perform first responder, operations level actions at emergencies involving radioactive materials.

Employee action during an emergency response is limited to serving as a technical consultant, either at the site of the emergency response or by telephone or other means of telecommunication. An employee who provides technical consultation at the site of an emergency response is limited to providing such consultation in areas in which Level D or lower personal protective equipment is sufficient; in other words, the employee may only enter an area of the response site where the atmosphere contains no known hazard and work functions preclude splashes, immersion or the potential for unexpected inhalation of or contact with hazardous levels of any chemicals or exposure to fire and explosion hazards.

Exceptions to the above restrictions may include air, water or soil monitoring or sampling in an area in which Level D personal protective equipment constitutes adequate protection; deployment of small booms and absorbent pads from the shoreline only at the site of a surface water emergency response action in situations where Level D personal

protective equipment constitutes adequate protection; construction of a diversion or containment dike in situations where Level D personal protective equipment constitutes adequate protection; any diversion/containment activity in which the use of Level D personal protective equipment constitutes adequate protection; and righting a leaking drum or container as appropriate to the level of the individual employee's equipment and training. A non-supervisory employee must obtain approval of his or her supervisor prior to engaging in any of the activities identified as exceptions in the list above.

An employee engaging in any emergency response activity must coordinate his or her activity through and under the direction of the on-scene incident commander, usually the local fire chief.

**3. Emergency Response Notification and Coordinator:** The Chief of the Underground Storage Tank Division is the designated Department Emergency Management Coordinator. The Emergency Management Coordinator has authority to act on behalf of the Department during an emergency response, and has authority to coordinate Department actions during an emergency response. The Emergency Management Coordinator is also authorized to act on behalf of the Department in fulfilling the Department's responsibilities according to the MEMP and state and federal emergency management regulations. The authorizing division or office supervisor should also ensure that the fire department having jurisdiction in the area has also been notified regarding the location and nature of the emergency.

**4. Development of Division/Office Emergency Response Plans and Procedures:** Each division and office must develop division- or office-specific emergency response plans and procedures. Any limited exceptions to this policy and procedure must be detailed in the division plans and procedures. These plans will be incorporated herein as Attachment A and which must contain the following elements:

- A. Procedures for obtaining approval to participate in an emergency response action.
- B. Positions authorized to approve requests to participate in an emergency response action.

DEQ POLICY AND PROCEDURES

SUBJECT: EMERGENCY RESPONSE

Number: 09-001

DATE: February 18, 1997

Page 6 of 7

- C. A list of employees trained for and authorized to participate in emergency response activities.
- D. Procedures for coordinating and informing the Department Emergency Management Coordinator and the local fire department of participation in an emergency response action.
- E. Possible scenarios for response which outline the types of emergencies or hazards likely to be encountered, criteria for determining when to participate in an emergency response, examples of the type of response the division or office will provide, examples of the types of responses the division or office will not provide, and procedures for obtaining supervisory approval to participate in the response action in each scenario.

These plans must be reviewed and approved by the Emergency Management Coordinator and reviewed and updated yearly by each division and office.

**5. Emergency Response Staff Training Requirements:** Employees identified in policy criteria 4.C. in all divisions and offices except Drinking Water and Radiological Protection Division as trained and authorized to participate in emergency response actions must receive initial 24-hour hazardous materials training, one day of field experience under the direct supervision of a trained and experienced supervisor and a yearly 8-hour hazardous materials training refresher, as described in HAZWOPER rule R325.52110. In addition, employees identified in policy criteria 4.C. shall also receive yearly training regarding this Department policy and division- or office-specific plans and procedures developed pursuant to policy criteria 4.



## DEQ POLICY AND PROCEDURES

SUBJECT: EMERGENCY RESPONSE

Number: 09-001

DATE: February 18, 1997

Page 7 of 7

Employees in the Radiological Protection Section of the Drinking Water and Radiological Protection Division who engage in emergency response shall receive training as required by the federal Emergency Management Agency and the Michigan Emergency Management Plan regarding their response to a nuclear power plant emergency.

### **6. Emergency Response Policy and Non-Emergency Department**

**Work:** This policy does not prohibit properly trained and equipped members of the Department from performing their duties associated with the non-emergency investigation, monitoring, sampling or remediation of environmental contaminants.

### **PROCEDURE:**

#### **Responsibility**

#### **Action**

Division/Office Chiefs

1. Develops division/office specific emergency response plans and procedures based on the criteria contained in this policy and submits to Department Emergency Management Coordinator for review/approval on a yearly basis.

Emergency Management  
Coordinator

2. Reviews division/office plans and either approves plans, or returns plans to division/office with suggested modifications.

3. Ensures that Department fulfills all of its responsibilities under the MEMP.

Employee

4. Participates in emergency response activities only after receiving appropriate training and authorization.

Approved: 

Date: 2/18/97